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AUG-02-04 13:14 From:McDONNELL BOEHNN HULBERT & BERGHOFF

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T-651 P.01 Job-467



McDonnell Boehnen Hulbert & Berghoff
Law Offices

Fax transmittal

To Office of Initial Patent Examination's Date August 2, 2004
Filing Receipt Corrections From Kevin E. Noonan
Fax 703-746-9195 Direct 312-913-2145
Phone Email Noonan@mbhb.com
Pages, 6 C/M
with cover
Re

300 South Wacker Drive 312 913 0001 phone
Chicago, Illinois 60606-6709 312 913 0002 fax
www.mbhbw.com

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PATENT**UNITED STATES PATENT AND TRADEMARK OFFICE**
(Case No. MBHB97,078-O)

IN THE APPLICATION OF:)
)
 Gocke, et al.) Examiner: TBA
)
 Serial No. 10/646,397) Group Art Unit: 1645
)
 Filed: August 22, 2003) Confirmation No.: 9512
)
 Title Detection Of Extracellular Tumor-) Fax No.: (703) 746-9195
 Associated Nucleic Acid In Blood
 Plasma Or Serum Using Nucleic
 Acid Amplification Assays)
)

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Attn: Office of Initial Patent Examination
 Filing Receipt Corrections

FACSIMILE TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached
 - a. Request for Corrected Filing Receipt
 - b. Copy of Updated Filing Receipt with noted changes
2. With respect to additional fees:
 No additional fee is required.
3. Please charge any additional fees or credit any overpayment to our Deposit Account No. 13-2490.
4. CERTIFICATE UNDER 37 CFR 1.8(a). The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being transmitted to the USPTO facsimile number 703/746-9195, according to 37 CFR 1.6(d) addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, ATTN: Office of Initial Patent Examination's Filing Receipt Corrections, on this ___ day of August 2004.

Respectfully Submitted,
 McDonnell Boehnen Hulbert & Berghoff LLP

By _____

Kevin E. Noonan, Ph.D.
 Reg. No. 35,303

Date: August 2, 2004

McDONNELL BOEHNEN HULBERT & BERGHOFF LLP
 308 SOUTH WACKER DRIVE, SUITE 3200
 CHICAGO, ILLINOIS 60606
 TELEPHONE (312) 913-0001
 FACSIMILE (312) 613-0002

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(Case No. MBHB97,078-O)

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REQUEST FOR CORRECTED FILING RECEIPT

Mail Stop OIPE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Office of Initial Patent Examination's
Filing Receipts Corrections

1. Attached is a copy of the updated filing receipt received from the PTO in the above-referenced application for which issuance of a new corrected filing receipt is respectfully requested.
2. There is an error with respect to the following data, which is incorrectly entered.

Error in

Total Claims:

33

Correct Data

Total Claims:

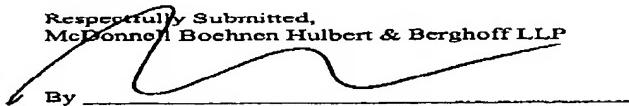
49

MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP
300 SOUTH WACKER DRIVE, SUITE 3200
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001
FACSIMILE: (312) 913-0002

3. Applicant believes that no fee is due in connection with this filing; however, if a fee is due the Commissioner is authorized to charge our deposit account number 13-1249.

Respectfully Submitted,
McDonnell Boehnens Hulbert & Berghoff LLP

By _____


Kevin E. Noonan, Ph.D.
Reg. No. 35.303

Date: August 2, 2004

MCDONNELL BOEHNEN HULBERT & BERGHOFF LLP
100 SOUTH WACKER DRIVE, SUITE 3300
CHICAGO, ILLINOIS 60606
TELEPHONE (312) 913-0001
FACSIMILE (312) 913-0002

2

McDonnell Boehnens Hulbert & Berghoff
32nd Floor
300 S. Wacker Drive
Chicago, IL 60606

CONFIRMATION NO. 8612
UPDATED FILING RECEIPT

0000000012832470

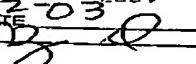
Date Mailed: 08/01/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Christopher D. Gocke, Ellicott City, MD;
Michael S. Kopreski, Long Valley, NJ;

DOCKETED

IPO - 11-22-03
DUE DATE
BY 11/22/03


Domestic Priority data as claimed by applicant

This application is a CON of 10/298,818 11/18/2002 which is a CON of 09/642,852 08/21/2000 PAT 6,521,409 which is a CON of 08/818,058 03/14/1997 PAT 5,166,504 which claims benefit of 60/028,180 10/15/1996 and claims benefit of 60/026,252 09/17/1996 and claims benefit of 60/013,497 03/15/1996

Foreign Applications

If Required, Foreign Filing License Granted: 03/26/2004

Projected Publication Date: 09/09/2004

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

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Title

Detection of extracellular tumor-associated nucleic acid in blood plasma or serum using nucleic acid amplification assays

Preliminary Class

435

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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